

45088

Application No. 10/651,205

Amendment Dated November 22, 2006

Reply to Decision on Appeal of September 25, 2006

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. - 7. canceled

8. (currently amended) An adjustable brace assembly to support an outlet box, comprising:
  - a first brace member having a first base;
  - a second brace member having a second base, said second brace member being adjustably received by said first brace member;
  - a first mounting surface extending from said first base of said first brace member, said first mounting surface forming a first angle greater than 90 degrees with said first base and being adapted to create a compression fit by contacting a first support member when installed; and
  - a second mounting surface extending from said second base of said second brace member, said second mounting surface forming a second angle greater than 90 degrees with said second base and being adapted to create a compression fit by contacting a second support member when installed; and
  - a tab extending outwardly from an outer surface of said second base of said second brace member, said tab contacting an inner surface of said first base of said first brace member to create an interference fit between said first and second brace members.
9. (previously amended) A brace assembly according to claim 8, wherein
  - a first fastener hole in said first mounting surface receives a first fastener to secure said first brace member to the first support member.
10. (previously amended) A brace assembly according to claim 9, wherein
  - a second fastener hole in said second mounting surface receives a second fastener to secure said second brace member to the second support member.

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11. (original) A brace assembly according to claim 8, wherein  
a first prong extends outwardly from said first mounting surface to secure said  
first brace member to the first support member.
12. (original) A brace assembly according to claim 11, wherein  
a second prong extends outwardly from said second mounting surface to secure  
said second brace member to the second support member.
13. (original) A brace assembly according to claim 8, wherein  
a first flange extends perpendicularly outwardly from said first mounting surface  
and is adapted to be received on a lower surface of the first support member.
14. (original) A brace assembly according to claim 13, wherein  
a second flange extends perpendicularly outwardly from said second mounting  
surface and is adapted to be received on a lower surface of the second support  
member.
15. (original) A brace assembly according to claim 8, wherein  
said first angle is approximately 94 degrees.
16. (original) A brace assembly according to claim 15, wherein  
said second angle is approximately 94 degrees.
17. canceled
18. (original) A brace assembly according to claim 8, wherein  
said first mounting surface has a first score line to remove a first portion of said  
first mounting surface to accommodate various wall thicknesses.

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19. (original) A brace assembly according to claim 18, wherein  
said second mounting surface has a second score line to remove a second portion  
of said second mounting surface to accommodate various wall thicknesses.
20. (original) A brace assembly according to claim 12, wherein  
a first flange extends perpendicularly outwardly from said first mounting surface  
and is adapted to be received on a lower surface of the first support member.
21. (original) A brace assembly according to claim 20, wherein  
a second flange extends perpendicularly outwardly from said second mounting  
surface and is adapted to be received on a lower surface of the second support  
member.
22. canceled
23. (original) An adjustable brace assembly to support an outlet box, comprising:  
a first brace member having a first base;  
a second brace member having a second base, said second brace member being  
adjustably received by said first brace member;  
a first mounting surface extending from said first base of said first brace member,  
said first mounting surface forming a first angle greater than 90 degrees with  
said first base;  
a second mounting surface extending from said second base of said second brace  
member, said second mounting surface forming a second angle greater than 90  
degrees with said second base;  
a first fastener hole in said first mounting surface to receive a first fastener to  
secure said first brace member to a first support member;  
a second fastener hole in said second mounting surface to receive a second  
fastener to secure said second brace member to a second support member;

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a first flange extending perpendicularly outwardly from said first mounting surface and adapted to be received on a lower surface of the first support member;

a second flange extending perpendicularly outwardly from said second mounting surface and adapted to be received on a lower surface of the second support member; and

a tab extending outwardly from an outer surface of said second base of said second brace member, said tab contacting an inner surface of said first base of said first brace member to create an interference fit between said first and second brace members.

24. (original) A brace assembly according to claim 23, wherein said first angle is approximately 94 degrees.
25. (original) A brace assembly according to claim 24, wherein said second angle is approximately 94 degrees.
26. (original) A method of installing a brace assembly between first and second supports, comprising the steps of:
  - positioning the brace assembly between the first and second supports;
  - extending the brace assembly between the first and second supports;
  - raising the brace assembly between the first and second supports to flex inwardly first and second mounting surfaces of the brace assembly to create a compression fit between the brace assembly and the first and second supports;
  - raising the brace assembly until each of said first and second mounting flanges on the first and second mounting surfaces contact an underside of each of the first and second supports;
  - releasing the brace assembly; and
  - inserting fasteners through the first and second mounting surfaces to secure the brace assembly to the first and second supports.

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27. (original) A method of installing a brace assembly according to claim 26, further comprising

inserting prongs on the first and second mounting surfaces into the first and second supports to secure the brace assembly to the first and second supports.

28. (original) A method of installing a brace assembly according to claim 26, further comprising

breaking each of the first and second mounting surfaces at a score line to accommodate various wall thicknesses.

29. – 30. canceled